

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**GRACIELA BRETSCHNEIDER  
DONCOUSE,**

**Plaintiff,**

**-against-**

**BILLY'S BAKERY and 75 FRANKLIN  
DEVELOPMENT CORP.,**

**Defendants.**

USDC SDNY  
DOCUMENT ELECTRONICALLY  
FILED  
DOC#:  
DATE FILED: 9-27-17

**16-cv-08098 (ALC)**

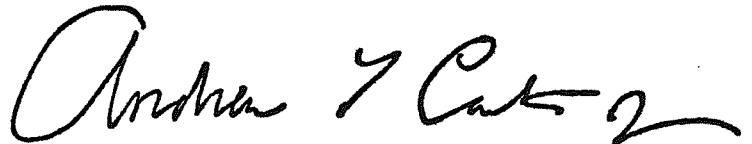
**ORDER OF DISMISSAL**

**ANDREW L. CARTER, JR., United States District Judge:**

After the parties failed to comply with Magistrate Judge Gorenstein's Scheduling Order, by Order dated September 14, 2017 Judge Gorenstein directed the parties to show cause why this action should not be dismissed pursuant to Rule 41 of the Federal Rules of Civil Procedure for failure to prosecute. ECF No. 23. The parties' response was due in writing on or before September 21, 2017. To date, no response to Judge Gorenstein's Order to Show Cause has been filed. Therefore, this case is dismissed without prejudice pursuant to Rule 41.

**SO ORDERED.**

Dated: September 27, 2017  
New York, New York



**ANDREW L. CARTER, JR.  
United States District Judge**